

REMARKS

Claims 1 through 12 are pending and have been rejected under 35 U.S.C. § 101 as being allegedly directed to non-statutory subject matter. Applicants respectfully request reconsideration of this rejection.

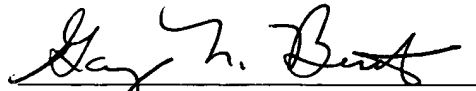
The Office Action states that Claims 1 through 12 fail to meet the requirement of Section 101 because they allegedly fail to recite a “practical application through tangible result.” Office Action at ¶ 2. Applicants respectfully disagree. Section 101 does not require that a specific practical application be recited in the body of the claim. All that Section 101 requires is that the claimed invention as a whole accomplish a practical application, and that the disclosure (*e.g.*, the specification of the application) contain some description of the practical application for the claimed invention. *See, e.g.*, M.P.E.P. §2106, ¶ II(A). Claims 1 through 12 do, in fact, recite a practical application: “calculating a meshed description of a realization of a reservoir, the realization comprising a plurality of stratigraphic surfaces.” Furthermore, the disclosure of the present application makes apparent that at least one practical application of “calculating a meshed description of a realization of a reservoir” in accordance with Claims 1-12 is to, among other things, determining the position of oil-bearing reservoirs on the basis of the results of, for example, geophysical measurements. Thus, the present invention possesses “real world” value, and produces a useful, concrete and tangible result, *i.e.*, is directed to statutory subject matter.

The Office Action additionally states that claims 7 through 12 are rejected under Section 101 because they allegedly recite “computer listings per se” rather than physical things. Office Action at p. 2, ¶ 3. By contrast, the Office Action indicates that a claim that recited, for example, “a computer-readable medium encoded with a computer program” would be deemed by the Examiner to be directed to statutory subject matter. Office Action at pp. 2-3, ¶ 3.

Applicants respectfully point out that Claims 7-12 do, in fact, currently recite a “program, residing on a computer-readable medium.” As such, by the very example given in the Office Action, Claims 7-12 do recite statutory subject matter, and the rejection of those claims under Section 101 should be withdrawn.

In view of the foregoing, the application is now believed to be in condition for formal allowance. Prompt and favorable action is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Gary M. Butter", is written over a horizontal line.

Gary M. Butter

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